

AO 106 (Rev. 04/10) Application for a Search Warrant (Modified: WAWD 10-26-18)

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UNITED STATES DISTRICT COURT

for the

Western District of Washington

MAY 22 2019

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY

BY

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)Subject Facebook Account 1 and Subject Facebook
Account 2, as further described in Attachment A

Case No.

MJ19-220

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Subject Facebook Accounts 1 and 2, as more fully described in Attachment A, incorporated herein by reference.

located in the Northern District of California, there is now concealed (identify the person or describe the property to be seized):

See Attachment B, incorporated herein by reference.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section

Offense Description

18 U.S.C. § 113(a)(3)

Assault Resulting in Serious Bodily Injury

18 U.S.C. § 1153(a)

Offenses Committed in Indian Country

18 U.S.C. § 2111

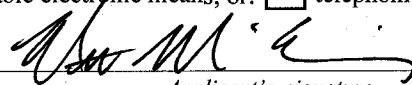
Robbery

The application is based on these facts:

- ☒ See Affidavit of FBI Special Agent Matthew McElhiney, attached hereto and incorporated herein by reference

☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Pursuant to Fed. R. Crim. P. 4.1, this warrant is presented: ☐ by reliable electronic means; or: ☐ telephonically recorded.



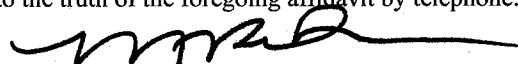
Applicant's signature

Matthew McElhiney, Special Agent

Printed name and title

- ☒ The foregoing affidavit was sworn to before me and signed in my presence, or
☐ The above-named agent provided a sworn statement attesting to the truth of the foregoing affidavit by telephone.

Date: May 22, 2019



Judge's signature

City and state: Seattle, Washington

Hon. Michelle L. Peterson, United States Magistrate Judge

Printed name and title

2019R00229

ATTACHMENT A

DESCRIPTION OF LOCATION TO BE SEARCHED

This warrant applies to information associated with the following Facebook accounts (FB ACCOUNTS):

FACEBOOK ACCOUNT 1

Display Name: Streezy NW

Vanity Name: streezy.nw

Time Observed: Feb 8, 2019, 6:58 PM and Apr 29, 2019, 12:49 PM

User ID#: 100013654273480

Facebook URL: <https://www.facebook.com/streezy.nw>

FACEBOOK ACCOUNT 2

Display Name: Captian Kachuckles

Vanity Name: chuck.sparks.58

Time Observed: Feb 6, 2019, 1:27 PM

User ID#: 100000198065222

Facebook URL: <https://www.facebook.com/chuck.sparks.58>

As well as other subscriber and log records associated with the accounts, which are stored at premises owned, maintained, controlled, and operated by Facebook, Inc., an electronic communications service and remote computing services provider headquartered at 1601 Willow Road, Menlo Park, California, 94025.

For FACEBOOK ACCOUNT 2, the warrant is limited to the above-referenced information for the time period from January 1, 2019 through the present.

ATTACHMENT B**I. INFORMATION TO BE DISCLOSED**

To the extent that the information described in Attachment A is within the possession, custody, or control of Facebook, Inc., including any communications, records, files, logs, posts, payment records, or information that has been deleted but is still available to Facebook, or has been preserved pursuant to requests made under 18 U.S.C. § 2703(f) on or about February 8, April 15, and April 29, 2019, Facebook is required to disclose the following information to the government for each account or identifier listed in Attachment A:

- (a) All contact information, including full name, user identification number, birth date, contact e-mail addresses, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers;
- (b) All Photoprints, including all photos uploaded by that user ID and all photos uploaded by any user that have that user tagged in them;
- (c) All Neoprints, including profile contact information; Mini-Feed information; status updates; links to videos, photographs, articles, and other items; Notes; Wall postings; friend lists, including the friends' Facebook user identification numbers; groups and networks of which the user is a member, including the groups' Facebook group identification numbers; future and past event postings; rejected "Friend" requests; comments; gifts; pokes; tags; and information about the user's access and use of Facebook applications;
- (d) All other communications and messages made or received by the user, including all private messages and pending "Friend" requests;
- (e) All IP logs, including all records of the IP addresses that logged into the account(s) and associated geolocation data;
- (f) All information about the user's access and use of Facebook Marketplace;
- (g) The length of service (including start date), the types of service utilized by

1 the user, and the means and source of any payments associated with the
2 service (including any credit or bank account number;

3 (h) All privacy settings and other account settings;

4 (i) All records pertaining to communications between Facebook and any person
5 regarding the user or the user's Facebook account, including contacts with
6 support services and records of actions taken.

7 //

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9 //

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II. INFORMATION TO BE SEIZED BY THE GOVERNMENT

All information described above in Section I that constitutes fruits, contraband, evidence and instrumentalities of violations of 18 U.S.C. § 113(a)(3) (Assault Resulting in Serious Bodily Injury), 18 U.S.C. § 1153(a) (Offenses Committed in Indian Country), 18 U.S.C. §§ 371 and 2111 (Conspiracy to Commit Robbery) and 18 U.S.C. § 2111 (Robbery) for each account or identifier listed on Attachment A, including information pertaining to the following matters:

- (a) Records that identify any persons who use or access the account specified, or who exercise in any way any dominion or control over the same, including geolocation data associated with such use or access;
- (b) Records that identify associates of the account specified;
- (c) Records relating to the planning or execution of the robbery and shooting of John Doe on February 6, 2019;
- (d) Records relating to [UNIT B] Tulalip, Washington;
- (e) Records relating to the identity of the shooter (also known as "Strap");
- (f) Records relating to narcotics trafficking, firearms, or ammunition; and
- (g) Records (including messages, posts, notes, drafts, photographs, videos, or other documents) relating to the relationship between Dennis Peltier, Mariah Boudrieau, John Doe, Joseph Sam, and/or the user of the Facebook account named "Captian Kachuckles," as well as communications and posts between or amongst any of the same.

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1 This warrant authorizes a review of the electronically stored data,
2 communications, or other records and information seized, copied or disclosed pursuant to
3 this warrant in order to locate evidence, fruits, and instrumentalities described in this
4 warrant. The review of this electronic data may be conducted by any government
5 personnel assisting in the investigation, who may include, in addition to law enforcement
6 officers and agents, attorneys for the government, attorney support staff, and technical
7 experts. Pursuant to this warrant, the FBI may deliver a complete copy of the seized,
8 copied or disclosed electronic data to the custody and control of attorneys for the
9 government and their staff.

10 //

11 //

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**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS
PURSUANT TO FEDERAL RULE OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by Facebook, and my official title is _____. I am a custodian of records for Facebook. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of Facebook, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;

b. such records were kept in the ordinary course of a regularly conducted business activity of Facebook; and

c. such records were made by Facebook as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Federal Rules of Evidence.

Date: _____ Signature: _____

AFFIDAVIT

STATE OF WASHINGTON

COUNTY OF KING

ss

1. I, Matthew McElhiney, a Special Agent ("SA") with the Federal Bureau of Investigation ("FBI"), having been duly sworn, state as follows:

I. INTRODUCTION AND PURPOSE OF AFFIDAVIT

2. I make this Affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a warrant for information associated with certain accounts: Facebook User ID 100013654273480 (FB ACCOUNT 1), and Facebook User ID 100000198065222 (FB ACCOUNT 2) (collectively, the FB ACCOUNTS), as more fully described in Attachment A, that is stored at the premises controlled by Facebook, Inc., a social media platform headquartered at 1601 Willow Road, Menlo Park, CA 94025.

3. The Federal Bureau of Investigation (FBI) is conducting an investigation into whether certain individuals described below committed violations of 18 U.S.C. § 113(a)(6) (Assault Resulting in Serious Bodily Injury), 18 U.S.C. § 1153(a) (Offenses Committed in Indian Country), 18 U.S.C. §§ 371 and 2111 (Conspiracy to Commit Robbery) and 18 U.S.C. § 2111 (Robbery). As described herein, there is probable cause to believe that the FB ACCOUNTS contain evidence of these crimes.

4. This affidavit is made in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A), and 2703(c)(1)(A) to require Facebook, Inc. to disclose to the government copies of the information (including the content of communications) further described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review that information to locate the items described in Section II of Attachment B.

II. AFFIANT BACKGROUND

5. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been so employed since August of 2016. I am assigned to the Everett Resident Agency of the Seattle Division and the FBI's Northwestern Safe Trails Task Force (NWSTTF). Part of my responsibilities as a Special Agent include investigations involving violent crimes on Indian reservations in northwestern Washington, including the Tulalip Indian Reservation (Tulalip). As a Special Agent, I have led and/or participated in investigations of a wide array of federal criminal violations, including assaults, crimes against children, firearms, fraud, fugitives, narcotics, rape, robberies, and crimes occurring in Indian Country. During these investigations, I have participated in the execution of search warrants and the seizure of evidence of criminal activity.

6. Prior to becoming a Special Agent, I completed twenty and a half weeks of special agent training at the FBI Academy in Quantico, Virginia. My training has included courses in law enforcement techniques, federal criminal statutes, conducting complex criminal investigations, physical and electronic surveillance techniques, evidence collection techniques and the execution of search warrants.

7. The facts set forth in this Affidavit are based on my own personal knowledge; knowledge obtained from other individuals during my participation in this investigation, including other law enforcement officers; review of documents and records related to this investigation; communications with others who have personal knowledge of the events and circumstances described herein; and information gained through my training and experience.

8. Because this Affidavit is submitted for the limited purpose of establishing probable cause in support of the application for a search warrant, it does not set forth each and every fact that I or others have learned during the course of this investigation. I have set forth only the facts that I believe are relevant to the determination of probable cause to believe that evidence, fruits, and instrumentalities of violations of 18 U.S.C. § 113(a)(6) (Assault Resulting in Serious Bodily Injury), 18 U.S.C. § 1153(a) (Offenses

1 Committed in Indian Country), 18 U.S.C. §§ 371 and 2111 (Conspiracy to Commit
2 Robbery) and 18 U.S.C. § 2111 (Robbery), will be found in the FB ACCOUNTS.

3 **III. SUMMARY OF INVESTIGATION**

4 9. In the late hours of February 6, 2019, the Tulalip Police Department (TPD)
5 responded to a report of a gunshot victim at Unit B of a residential address that is located
6 within the exterior boundaries of the Tulalip Indian Reservation (UNIT B). TPD arrived
7 at the scene and found John Doe (Doe) conscious, lying on the ground outside UNIT B
8 near the front door. Before being transported for treatment, Doe told TPD that he had
9 been shot in the back by an unknown native-looking male during a drug deal at UNIT B.

10 10. Inside UNIT B, TPD found the homeowner, who stated that she and her
11 son, Dennis Peltier (PELTIER), had been at the house that night, along with a white
12 female, whom she described as around thirty years old with blonde hair, and whom she
13 believed was there with her son.

14 11. During subsequent interviews at the hospital, Doe told TPD he had been
15 contacted by his ex-girlfriend Mariah Boudrieau (BOUDRIEAU), who had arranged for
16 Doe to come to UNIT B to sell narcotics. Doe was to bring an ounce of heroin to the
17 house and sell it to a native male named Dennis for \$1,200.00. Doe went to the house in
18 his white Ford Expedition with a friend with the initials J.G. Doe arrived at UNIT B and
19 met with BOUDRIEAU and Dennis. Doe explained that during the transaction, a native
20 male (not the same person as Dennis) came through the front door waving a revolver,
21 demanding the narcotics. Doe and the man fought briefly. Doe attempted to leave, but
22 BOUDRIEAU tried to stop him. Doe pushed her to the side while trying to get away, but
23 he was shot in the back by the man. Doe stated that BOUDRIEAU was right next to him
24 when he was shot. Doe collapsed in the doorway of the house, unable to move his legs.
25 Once on the ground, BOUDRIEAU began rifling through Doe's pockets, asking him
26 where the heroin was. According to Doe, he pleaded with BOUDRIEAU for help, stating
27 that he was paralyzed. BOUDRIEAU responded by asking: "What concern is that of
28 mine?" After finding the ounce of heroin Doe had on him and approximately \$300 in

1 cash, BOUDRIEAU and the man fled the residence, taking with them Doe's money and
2 iPhone 7. Doe said that he pleaded with Dennis to call for help, but Dennis refused and
3 ran away. Eventually, J.G. came to Doe's aid and called 911, but then also fled. Doe
4 believed BOUDRIEAU and Dennis had conspired together to commit the robbery.

5 12. In the early morning hours of February 7, 2019, TPD obtained a search
6 warrant for UNIT B and executed the same with assistance from the FBI. During the
7 search, search personnel observed drug paraphernalia, mail addressed to "Dennis G.
8 Peltier, Jr.," and a laptop with the name "Mariah Boudrieau" on the log in screen.

9 13. TPD interviewed a neighbor who lives near UNIT B. The neighbor stated
10 that DENNIS PELTIER had arrived at his house in the early morning hours of February
11 7, 2019, asking for a ride. PELTIER told the neighbor he had been part of a robbery that
12 went bad and needed to get out of the area. The neighbor then drove PELTIER around
13 Marysville for several hours before dropping him off.

14 14. On February 8, 2019, officers arrested PELTIER and transported him back
15 to TPD, where he was interviewed after waiving his *Miranda* rights. During the
16 interview, PELTIER first denied having any advance knowledge of the robbery.
17 PELTIER subsequently admitted that he had agreed with BOURDIEAU to do the
18 robbery, and that BOURDIEAU told him their target was a pushover and she would just
19 take the heroin from him. PELTIER also admitted that he received a portion of the
20 heroin that was stolen from Doe. PELTIER denied knowing the identity of the shooter.
21 Following PELTIER's arrest, TPD collected a Samsung smartphone from him as
22 evidence.

23 15. TPD obtained and executed a search warrant for the data located on
24 PELTIER's Samsung smartphone, which revealed multiple communications between
25 BOUDRIEAU and PELTIER on the day of the robbery through the Facebook Messenger
26 service, including the following messages:

27 **Incoming:** "What's your address straps on the way so we can do this lic"

28 **Outgoing:** "[street address for UNIT B] Tulalip Wa. 98271"

1 Based on my training and experience and the training and experience of other law
2 enforcement officers, I am aware that the term "Lic" or "Lick" is a slang term commonly
3 used to refer to a robbery.

4 11. During subsequent interviews of PELTIER on February 13, 2019,
5 PELTIER reiterated that he did not know the shooter's name, but said that BOURDIEAU
6 had called him "Strap." PELTIER also admitted that BOURDIEAU that told him
7 beforehand that "Strap" would be waiting outside and would then come inside to take the
8 heroin. PELTIER again explained that BOURDIEAU had talked him into participating
9 in the robbery by saying that Doe was a "chump" and a "pushover," and that it would be
10 simple. PELTIER explained that the plan was for him to act as the purported buyer when
11 Doe came to sell the heroin, and said that he sent his son to take a shower before Doe
12 arrived. PELTIER said that once Doe arrived with the heroin, he went into the kitchen
13 and was pretending to look for money when he heard a scuffle and then a pop.¹

14 12. During subsequent interviews with J.G., the man who had accompanied
15 John Doe to the house and called 911, J.G. stated that Doe had contacted him wanting
16 him to provide Doe with an ounce of heroin on credit. Doe told J.G. that he was
17 intending to sell the ounce of heroin to BOUDRIEU for \$1,200.00. J.G. contacted his
18 narcotics source and acquired several ounces of heroin on credit. J.G. gave one ounce of
19 heroin to Doe to sell to BOUDRIEU. J.G. also stated that when they arrived at the
20 house, Doe went inside while he waited in Doe's white Ford Expedition next to UNIT B.
21 J.G. said that after about a minute, BOUDRIEU came out of the house, entered the
22 driver's side of the vehicle and took J.G.'s bag that contained "\$4,100 worth of heroin,"
23 or approximately 3-4 ounces of heroin, before running back into the house. J.G. also said
24 that he attempted to catch BOUDRIEU, but was unsuccessful. According to J.G., he
25 drove the Expedition home and told his supplier what happened. The supplier then
26
27

28 ¹ During the course of the investigation, PELTIER also told law enforcement officers about rumors he heard while in custody at the Snohomish County Jail, including the purported name and a different nick name of the shooter, as he was told by other inmates. Law enforcement quickly discredited this information.

1 followed J.G. back to UNIT B. When J.G. arrived back at UNIT B, he observed that the
2 front door was open, Doe was on the ground, and he saw a male and a female fleeing
3 eastbound in the neighborhood. J.G. ran to Doe, who stated that he had been shot in the
4 back. J.G. said that he confronted PELTIER, who was with Doe in the doorway, before
5 PELTIER ran away. J.G. said he called 911 for Doe before fleeing with his supplier.

6 13. TPD prepared a photo lineup that contained a photo of BOUDRIEAU and
7 presented the same to J.G., who successfully identified BOUDRIEAU from having seen
8 her Facebook photos. However, J.G. told TPD that the photo in the lineup of
9 BOUDRIEAU did not look quite like her Facebook photos. J.G. then displayed screen
10 shots on his phone of BOUDRIEAU's Facebook page.

11 14. On February 12, 2019, BOUDRIEAU was arrested in Everett, Washington
12 on an unrelated warrant. Following her arrest, myself and two TPD detectives attempted
13 to interview her. After receiving her *Miranda* warnings, BOUDRIEAU requested an
14 attorney and the interview was terminated. BOUDRIEAU is currently in custody
15 pending charges in Snohomish County Superior Court.

16 15. TPD Detective David Sallee maintains a covert Facebook account, which
17 has an established friend network of people associated with the Tulalip reservation and
18 surrounding areas. On February 8, 2019, shortly after the robbery and shooting occurred,
19 Detective Sallee used Facebook to see if there were any Facebook friends that
20 BOUDRIEAU and PELTIER had in common. Detective Sallee only identified one such
21 account – a Facebook user with the name “Streezy NW” and a nickname of “Strap”
22 (FACEBOOK ACCOUNT 1). The account for “Streezy NW” had pictures of a thin
23 native male wearing silver rings, possibly with faded finger tattoos. One of the pictures
24 of “Streezy NW” showed that he had a tattoo on his back that said “Upper Skagit.”
25 Detective Sallee sent photos of “Streezy NW” to the Upper Skagit Police Department and
26 the Lummi Nation Police Department, and identified him as JOSEPH E. SAM, an
27 enrolled member of the Upper Skagit Tribe. Detective Sallee learned that SAM is known
28 on these reservations as “Strap,” and determined that SAM has outstanding warrants for

1 his arrest and prior convictions in the Tulalip Tribal Court. Detective Sallee later went
 2 back to the "Streezy NW" Facebook account and saw that "Streezy NW" had removed all
 3 of his photos and unfriended BOUDRIEAU.

4 16. On March 20, 2019, United States Magistrate Judge Mary Alice Theiler
 5 issued a search warrant for information in the Facebook accounts of PELTIER and
 6 BOUDRIEAU. Upon review, the records returned by Facebook revealed a Facebook
 7 messenger conversation thread between the account associated with BOUDRIEAU,
 8 "mariah.boudrieau71," and the account associated with SAM, "Streezy NW"
 9 (FACEBOOK ACCOUNT 1). The conversation thread begins in early July 2018 and
 10 continues through February 2019. Towards the beginning of the conversation on
 11 Facebook, in July 2018, SAM sent BOUDRIEAU a photo depicting a native male taking
 12 a photograph standing in front of a mirror. Detective Sallee viewed this image and
 13 recognized the individual as SAM.

14 17. During the course of the conversation, BOUDRIEAU referred to SAM as
 15 "Strap" at least once in November 2018. Following multiple attempted Facebook calls
 16 from BOUDRIEAU to SAM, BOUDRIEAU specifically wrote:

17 **Mariah Boudrieau:** "So the t you got i paid for now f*** strap call me back"

18 18. Additionally, the Facebook conversation between BOUDRIEAU and SAM
 19 discussed narcotics trafficking as well as a specific request on February 6, 2019 from
 20 BOUDRIEAU to help her with a robbery. The provided Facebook records included the
 21 following communications with SAM around the time of the assault/robbery:

22 [Conversation on February 6, 2019 between approximately 11:22 a.m. and 6:51 p.m.]

23 **Mariah Boudrieau:** "Hey I need you right now what's up"

24 **Streezy NW:** "I'm at Wal-Mart"

25 **Streezy NW:** "Leaving going to the little 1"

26 **Mariah Boudrieau:** "So I need to jack this guy do you want to help me out"

27 **Mariah Boudrieau:** [Attempted Call / Missed]

28 **Mariah Boudrieau:** "Im right by there do you havr any dark im sick man"

1 **Mariah Boudrieau**: "Do you want to help me with this lic its gonna bw super
2 easy I just need a hommie like you on my side"

3 **Mariah Boudrieau**: "Hello its gonna be for like a piece and cash"

4 **Mariah Boudrieau**: "Well he said he will pay the 1200 but it's gotta be super fire"

5 **Mariah Boudrieau**: "There's a lot of deal going around and he doesnt want if its
6 cut with fetinol"

7 **Mariah Boudrieau**: "🔥"

8 [Conversation continues on February 8, 2019 at approximately 5:06 p.m. and continues to
9 February 9, 2019 at approximately 2:54 p.m.]

10 **Mariah Boudrieau**: "So call me asap please I need to talk to you"

11 **Streezy NW**: "I've been trying to get a hold of you but I keep missing you...
12 you should come over to my homies house.. there's no one
13 here just us homies"

14 **Streezy NW**: [Attempted Call / Missed]

15 **Streezy NW**: [Attempted Call / Missed]

16 **Streezy NW**: [Attempted Call / Missed]

17 **Streezy NW**: "Where are you nigga... call me on my phone.. stay the fukk
18 off messenger...."

19 [Conversation continues on February 13, 2019 at approximately 9:27 p.m. and continues
20 to 10:05 p.m.]

21 **Streezy NW**: [Attempted Call / Missed]

22 **Streezy NW**: [Attempted Call / Missed]

23 **Streezy NW**: [Attempted Call / Missed]

24 **Streezy NW**: [Attempted Call / Missed]

25 **Streezy NW**: "I habe to talk to you.... it's important....911"

26 **Streezy NW**: "🔥"

27 **Streezy NW**: "911"

28 **Streezy NW**: "Call me"

1 **Streezy NW:** "Asap"

2 19. The records returned by Facebook further revealed a Facebook messenger
3 conversation thread between the account associated with BOUDRIEAU,
4 "mariah.boudrieau71" and another Facebook account with the name "Scooter Barber."
5 Specifically, BOUDRIEAU sent the following message to "Scooter Barber" on February
6 7, 2019 at approximately 1:43 a.m. following the assault:

7 **Mariah Boudrieau:** "Hey has strap called you what happenedis he with you"

8 20. Detective Sallee identified the Facebook account for "Scooter Barber" as
9 being associated with a man with the initials RB.

10 21. On April 25, 2019, Detective Sallee interviewed RB at his residence
11 regarding SAM. Detective Sallee showed RB a photo of SAM and asked RB if he knew
12 who it was. RB replied that it was "Strap." RB stated that "Strap's" real name was Joe
13 or William, but he was not sure. RB stated he had met "Strap" at a casino over a year ago
14 and the two had become friends. RB stated that he had not seen "Strap" in a while but
15 had communicated with him within the last few days on Facebook Messenger. Detective
16 Sallee asked RB if he knew someone named Mariah. RB replied that he was introduced
17 to a girl named Mariah by "Strap" and that Mariah had previously given RB a ride in her
18 black Mustang. Detective Sallee showed RB a photo of BOUDRIEAU. RB stated that it
19 was the same woman he knew as Mariah.

20 22. Another adult male, RT, was also present at RB's residence on April 25,
21 2019 and was ultimately taken into custody by TPD on unrelated charges. During
22 subsequent interviews, RT was shown a photo of SAM and identified him as "Strap." RT
23 stated he had bought narcotics from "Strap" many times in the past and said that "Strap"
24 also sells guns and pimps prostitutes. RT logged into his Facebook Messenger account
25 on Detective Sallee's cell phone and provided messages between RT and a Facebook
26 account named "Streezy NW." Detective Sallee viewed multiple messages regarding the
27 sale of narcotics and one regarding a sale of firearms.

1 23. Detective Sallee identified SAM's girlfriend as a woman with the initials
2 NM after reviewing posts on Facebook. Detective Sallee got in contact with NM's
3 Probation Officer, who provided NM's address located in Everett, WA.

4 24. Detective Sallee went to NM's address in Everett and met NM's
5 grandmother, who was interviewed. NM's grandmother was shown a picture of SAM,
6 and she identified him as "Strap." NM's grandmother said that "Strap's" real name was
7 JOSEPH SAM. She also stated that SAM had messaged her and spoke to her several
8 times recently. SAM told NM's grandmother that he had been involved in a robbery and
9 that an eyewitness had identified him. NM's grandmother stated that based on their
10 conversation, she thought SAM must have shot someone, but she could not elaborate on
11 how she came to that conclusion. NM's grandmother stated that SAM had sent her a
12 message on Facebook and told her not to use his name in conversations if she was talking
13 to someone on a jail call. NM's grandmother tried to pull up the messages but found that
14 someone had gotten into her phone and deleted everything that related to SAM. She
15 believed that her granddaughter, NM, must have gone through her phone and erased
16 things. NM'S grandmother further stated that NM had recently warned her not to let
17 SAM into the house and told her to keep her gun loaded beside her bed.

18 25. On May 6, 2019, Detective Sallee contacted NM's grandmother via
19 telephone. NM's grandmother stated that she had not seen SAM, but she did see NM two
20 nights prior when NM came to her house late at night. NM's grandmother asked NM
21 where SAM was. NM replied that SAM was not going to be coming to visit for a while
22 because he shot a guy, so he was in hiding.

23 26. On May 15, 2019, officers arrested SAM and transported him back to TPD,
24 where he was interviewed after waiving his *Miranda* rights. During the interview, SAM
25 denied involvement in the robbery or the assault, stating he was in Bellingham at the
26 time. SAM stated that he previously had been questioned by a Tulalip gaming official,
27 who mistakenly identified him. SAM stated that the gaming official had been looking for
28 another man who looked identical to him except for a scar. SAM believed this other

1 individual was likely the one involved in the robbery and assault. When questioned
2 about the "Streezy NW" Facebook account, SAM denied that the account was his. When
3 asked about the photos and other personal information concerning him on the account,
4 SAM stated that someone else must have created the account and posted that information,
5 pretending to be him, possibly trying to implicate him in the crimes.

6 27. When law enforcement encountered SAM on May 15, 2019, he gave the
7 name "William E. Clark" and provided an identification under this name. Through
8 records checks and checking photographs, the arresting officer determined that the person
9 he arrested was JOSEPH SAM. SAM admitted that he was born with the name "Joseph
10 Earlystar Sam" and had later changed his name to "William Earlystar Clark."

11 28. DENNIS PELTIER has confirmed that he is a member of the Turtle
12 Mountain Band of Chippewa Indians, a federal recognized tribe. I have confirmed that
13 MARIAH BOUDRIEU is not an Indian. As noted above, JOSEPH SAM a/k/a
14 WILLIAM EARLYSTAR CLARK is an enrolled member of the Upper Skagit Tribe, a
15 federally recognized tribe.

16 29. As a result of the gunshot wound to his back, John Doe suffered spinal cord
17 injury causing paralysis in his lower body. Medical staff determined that due to the bullet
18 trajectory and Doe's neurologic status, the bullet could not be removed safely at the
19 present time. It is uncertain if John Doe's paralysis will be permanent or if the paralysis
20 will abate with ongoing therapy and treatment.

21 30. The records returned by Facebook in response to the search warrant issued
22 by Judge Theiler on March 20, 2019, further revealed a Facebook messenger
23 conversation thread between the account associated with BOUDRIEU,
24 "mariah.boudrieau71" and another Facebook account with the name "Captian
25 Kachuckles" (FACEBOOK ACCOUNT 2). This Facebook conversation discussed
26 narcotics trafficking as well as a specific request on February 6, 2019, from
27 BOUDRIEU to help her with a robbery to which "Captian Kachuckles" agreed. The
28

1 provided Facebook records included the following communications around the time of
2 the assault/robbery:

3 [Conversation on February 3, 2019 between approximately 11:43 a.m. and 1:09 p.m.]

4 **Mariah Boudrieau**: “Hey do you have anything I need some shit real quick and
5 I need to talk I have a lic you down to spank this pussy ads
6 bitch with me....i need you asap last night”

7 **Mariah Boudrieau**: [Attempted Call / Missed]

8 **Mariah Boudrieau**: “Where are you can you give me a ride to n seattle Im
9 behind memos at one of the spots”

10 **Mariah Boudrieau**: [Attempted Call / Missed]

11 **Captian Kachuckles**: “Text me”

12 **Captian Kachuckles**: “I canr talk right now”

13 **Mariah Boudrieau**: “Call me asap please. When you can”

14 [Conversation on February 6, 2019 between approximately 11:23 a.m. and 1:34 p.m.]

15 **Mariah Boudrieau**: “Hey do you have any dark”

16 **Mariah Boudrieau**: “Hey do you wanna do a lick with me”

17 **Mariah Boudrieau**: “Its for a piece of dark some shards he smokes and sells
18 hes a total jake does not pack and whatever shit he has in
19 his ride thats worth anything”

20 **Captian Kachuckles**: “How would we do it?”

21 **Mariah Boudrieau**: “Do you have a piece it will be him and prob one other
22 they guy both will be idiots and nobodys..neither of them
23 pack I have a hommies house it can go down he brings a
24 piece he sells clear too so his stash of that and he got 2600
25 in his account 3 days ago so whatever cash he has left of
26 thathe also goes and boosts so if he has merchandise in
27 his car that too”
28

Mariah Boudrieau: “He's ready and waiting for my call he said he's got it I said I'm waiting on the person to get home and then I'll call him....so im on msvl res where its gonna go down right now.if your down come on”

Mariah Boudrieau: “So yeah or na”

Captian Kachuckles: “I am down but whst do we gotta do”

Mariah Boudrieau: “I really don't think we will need a piece it only makes cooperation a little easier so he comes inside to make sale he sits down and we start deal then let him know he is not getting payer as a matter of fact he will be giving everything over and I'll get keys take anything in his car cause possible he will keep wallet in car”

Captian Kachuckles: “Ok so im on cap hill right now”

Mariah Boudrieau: “I need to go a house in snohomish i have a in i sound bar at its his friend so before I do its a 500 speaker I need that”

Mariah Boudrieau: “How long till your back”

Captian Kachuckles: “Maybe couple hours”

Mariah Boudrieau: “Kk”

[Conversation on February 7, 2019 at approximately 8:56 p.m.]

Mariah Boudrieau: [Connected Call / Duration: 176]

31. Based on the above conversation, I believe it is likely that “Captian Kachuckles” had some level of involvement in the robbery conspiracy and/or that he communicated about it via the Facebook Messenger service either through additional messages with BOURDIEAU or with another Facebook user. Records pertaining to this account are being sought to help identify the user of the account and any additional communications pertaining to the robbery conspiracy, as well as to help ensure all such communications have been produced in their entirety. For FACEBOOK ACCOUNT 2, I

1 only seek records from Facebook for the time period January 1, 2019 through the present
2 because the robbery and assault occurred in early February of 2019.

3 **IV. BACKGROUND REGARDING FACEBOOK'S SERVICES**

4 32. Facebook, Inc. owns and operates the free-access social networking website
5 Facebook.com, accessed at <http://www.facebook.com>. Facebook allows its subscribers to
6 establish personal accounts. Subscribers can then use their accounts to share written
7 news, communications, photographs, videos, and other information with other Facebook
8 users, and sometimes with the general public; to purchase and sell things, play games,
9 and engage in numerous additional computer based activity.

10 33. A Facebook subscriber typically creates a personal profile using photos of
11 him/herself and a name or nickname their friends and family know. This permits friends
12 and family to find the subscriber's account. Facebook asks subscribers to provide basic
13 contact information. This may include the subscriber's full name, birth date, contact e-
14 mail addresses, physical address (city, state, zip code, country), telephone numbers, .
15 screen names, associated websites, and other personal identifiers. Subscribers can list
16 credit, debit or other financial account numbers for use when making purchases on or
17 through Facebook. Facebook also asks subscribers to create an account password. The
18 password, known only to the subscriber (and anyone to whom s/he gives it) limits access
19 to the account. Only someone logged in with the password can change profile details,
20 profile photographs or privacy settings.² Only a person who has logged into the account
21 with a password can post on the "Wall,"³ send messages (similar to text messaging), or
22 send friend requests under the identity of the account owner. It is my understanding that
23 Facebook subscribers rarely share the password to their accounts. There is little purpose
24 in sharing passwords, because anyone whom the account owner permits can post

25
26
27 ² Subscribers must also be logged into their accounts to make purchases, post ads, make comments, adjust
notifications they receive and to change other aspects of their accounts.

28 ³ A "Wall" in a particular subscriber's Facebook page is a space where the subscriber and his or her "Friends" (if
permitted by the subscriber) can post and respond to status updates, check-ins, messages, images, attachments, and
links.

1 messages on the user's "Wall."

2 34. Subscribers can select different levels of privacy for the communications
3 and information associated with their Facebook accounts. By adjusting these privacy
4 settings, a subscriber can make profile information, status updates, check-ins, and other
5 posted material available only to himself or herself, to particular Facebook users, to all
6 Facebook users, or to anyone with access to the Internet, including people who are not
7 Facebook users.

8 35. Facebook subscribers can create personal profiles that include photographs,
9 personal statistics such as birthdate, schooling, employer, lists of personal interests, and
10 other information. Subscribers can also post "check-ins"⁴ and "status updates" about
11 their whereabouts and actions, as well as links to videos, photographs, articles, and other
12 items available elsewhere on the Internet. Facebook subscribers can also post
13 information about upcoming "events," such as social occasions, by listing the event's
14 time, location, host, and guest list.

15 36. A subscriber can also connect directly with individual Facebook users by
16 sending each user a "Friend Request." If the recipient of a "Friend Request" accepts the
17 request, then the two users will become "Friends" for purposes of Facebook and can
18 exchange communications or view information about each other. Each Facebook user's
19 account includes a list of that user's "Friends" and a "News Feed," which highlights
20 information about the user's "Friends," such as status updates, check-ins, profile changes,
21 and upcoming events. Subscribers may also join groups or networks to connect and
22 interact with other users who are members of the same group or network. A Facebook
23 network or group has options for adjusting privacy settings to grant or limit viewing or
24 posting to the group's page.

25 37. In Facebook's Photos application, subscribers can upload an unlimited
26 number of albums and photos. The Photos application can capture and store a geometric
27

28 ⁴ A "check-in" accesses the user's mobile device GPS to let friends know exactly where the subscriber is.

1 representation of a face (known as Faceprint data). Subscribers can “tag” (i.e., label)
2 other Facebook users depicted in a photo or video. When a user is tagged in a photo or
3 video, he or she receives a notification of the tag and a link to see the photo or video.

4 38. For Facebook’s purposes, a subscriber’s “Photoprint” includes all photos
5 uploaded by that subscriber that have not been deleted, as well as all photos uploaded by
6 any user that have that subscriber tagged in them. As uploaded, a digital photo often
7 contains embedded data about when and where it was taken, and other information on its
8 genesis. That information is called Exchangeable image file format (EXIF) information.
9 Facebook “scrapes” this information off of photos before placing them onto a page, but
10 retains the original data.

11 39. Facebook users can exchange private messages on Facebook with other
12 users. These messages, which are similar to e-mail messages, are sent to the recipient’s
13 “Inbox” on Facebook, which also stores copies of messages sent by the recipient, as well
14 as other information. Facebook users can also post comments on the Facebook profiles
15 of other users or on their own profiles; such comments are typically associated with a
16 specific posting or item on the profile.

17 40. Facebook captures and retains, for each subscriber account, data regarding
18 the date, time, place, and IP addresses (IP Logs) used when the subscriber accesses
19 his/her account; actions taken and items viewed while using the account; and subscriber
20 geographic location, if that setting is enabled. This data cannot be manipulated by the
21 subscriber. Facebook also retains, and makes available to the account subscriber, all
22 information contained in Appendix A, attached and incorporated by reference. Material
23 posted by the subscriber is retained by Facebook until sometime after it is deleted by the
24 subscriber.

25 41. In Facebook jargon,

26 • Subscriber “Basic Contact Information” includes subscriber, name,
27 birth date, email address(es), physical address (city, state, zip, country), all telephone
28 numbers, screen name and any associated website;

- “Basic Subscriber Information (BSI)” is the subscriber’s identification number, name, email address, date and time stamp of account creation, registered cellular telephone number, record of recent logins, and whether the subscriber’s page is publicly viewable; and
- A “Neoprint” is an expanded view of a given subscriber profile. It includes subscriber profile contact information, friend lists; groups and networks of which the subscriber is a member; “News Feed” information; “Wall” postings; status updates; links to videos, photographs, articles, and other items; event postings; rejected “Friend” requests; comments; messages; gifts; pokes; tags; and information about the subscriber’s access and use of Facebook applications.

42. Facebook subscribers may communicate directly with Facebook about issues relating to their account, such as technical problems, billing inquiries, or complaints from the subscriber or other users. Social networking providers like Facebook typically retain records about such communications, including records of contacts between the subscriber and the provider’s support services, as well records of any actions taken by the provider or subscriber as a result of the communications.

43. The company that operates Facebook.com is Facebook, Inc. Facebook, Inc. has established a contact address for Law Enforcement and has asked law enforcement to serve warrants either by using a website that Facebook has set up for use by law enforcement, or by postal mail. Law enforcement regularly uses these to contact Facebook.

V. INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED

44. Pursuant to Title 18, United States Code, Section 2703(g), this application and affidavit for a search warrant seeks authorization to permit Facebook, and its agents and employees, to assist agents in the execution of this warrant. Once issued, the search warrant will be presented to Facebook with direction that the company identify the Facebook accounts described in Attachment A to this affidavit, as well as other subscriber and log records associated with the accounts, as set forth in Section I of

1 Attachment B to this affidavit.

2 45. The search warrant will direct Facebook to create an exact copy of the
3 specified accounts and records.

4 46. I, and/or other law enforcement personnel assisting with the investigation,
5 will thereafter review the copy of the electronically stored data, and identify from among
6 that content those items that come within the items identified in Section II to Attachment
7 B, for seizure.

8 47. Analyzing the data contained in the forensic image may require special
9 technical skills, equipment, and software. It could also be very time-consuming.
10 Searching by keywords, for example, can yield thousands of "hits," each of which must
11 then be reviewed in context by the examiner to determine whether the data is within the
12 scope of the warrant. Merely finding a relevant "hit" does not end the review process.
13 Keywords used originally need to be modified continuously, based on interim results.
14 Certain file formats, moreover, do not lend themselves to keyword searches, as keywords,
15 search text, and many common e-mail, database and spreadsheet applications do not store
16 data as searchable text. The data may be saved, instead, in proprietary non-text format.
17 And, as the volume of storage allotted by service providers increases, the time it takes to
18 properly analyze recovered data increases, as well. Consistent with the foregoing,
19 searching the recovered data for the information subject to seizure pursuant to this
20 warrant may require a range of data analysis techniques and may take weeks or even
21 months. All forensic analysis of the data will employ only those search protocols and
22 methodologies reasonably designed to identify and seize the items identified in Section II
23 of Attachment B to the warrant.

24 48. Based on my experience and training, and the experience and training of
25 other agents with whom I have communicated, it is necessary to review and seize a
26 variety of messenger communications, chat logs, files, payment records and documents,
27 that identify any users of the FB ACCOUNTS and communications sent or received in
28 temporal proximity to incriminating messages that provide context to the incriminating

1 communications.

2 **VI. PAST EFFORTS TO OBTAIN EVIDENCE FROM**
 3 **THE SUBJECT ACCOUNTS**

4 49. I understand the contents of the FB ACCOUNTS can only be obtained, in
 5 the Ninth Circuit, by means of a search warrant issued under authority of 18 U.S.C. §
 6 2703(a), 2703(b)(1)(A), 2703(c)(1)(A), and Federal Rule of Criminal Procedure
 7 41(e)(2)(b). On or about February 8 and April 29, 2019, the FBI made preservation
 8 requests to Facebook, requesting they preserve the content related to FB ACCOUNT 1.
 9 On or about April 15, 2019, the FBI made a preservation requests to Facebook,
 10 requesting they preserve the content related to FB ACCOUNT 2.

11 **VII. PROTOCOL FOR SORTING SEIZABLE**
 12 **ELECTRONICALLY STORED INFORMATION**

13 50. In order to insure agents are limited in their search only to the contents of
 14 the FB ACCOUNTS and any attachments, stored instant messages, stored voice
 15 messages, documents, and photographs associated therewith; in order to protect the
 16 privacy interests of other third parties who have accounts at Facebook; and in order to
 17 minimize disruptions to normal business operations of Facebook; this application seeks
 18 authorization to permit agents and employees of Facebook to assist in the execution of
 19 the warrant, pursuant to 18 U.S.C. § 2703(g), as follows:

20 a. The search warrant will be presented to Facebook, with direction
 21 that it identify and isolate the FB ACCOUNTS and associated records described in
 22 Section I of Attachment B.

23 b. Facebook will also be directed to create an exact duplicate in
 24 electronic form of the FB ACCOUNTS and associated records specified in Section I of
 25 Attachment B, including an exact duplicate of the content including all messages stored
 26 in the FB ACCOUNTS.

27 c. Facebook shall then provide an exact digital copy of the contents of
 28 the FB ACCOUNTS, as well as all other records associated with the account, to me, or to
 any other agent of the FBI. Once the digital copy has been received from Facebook, that

1 copy will, in turn, be forensically imaged and only that image will be reviewed and
2 analyzed to identify communications and other data subject to seizure pursuant to Section
3 II of Attachment B. The original digital copy will be sealed and maintained to establish
4 authenticity, if necessary.

5 d. I, and/or other government personnel assisting in the investigation,
6 will thereafter review the forensic image, and identify from among the content those
7 items which come within the items identified in Section II to Attachment B, for seizure.
8 Items identified for seizure will then be copied to separate media for future use in
9 investigation and prosecution.

10 e. All forensic analysis of the image data will employ only those search
11 protocols and methodologies reasonably designed to identify and seize the items
12 identified in Section II of Attachment B to the warrant.

13 51. This warrant authorizes a review of the electronically stored data,
14 communications, or other records and information seized, copied or disclosed pursuant to
15 this warrant in order to locate evidence, fruits, and instrumentalities described in this
16 warrant. The review of this electronic data may be conducted by any government
17 personnel assisting in the investigation, who may include, in addition to law enforcement
18 officers and agents, attorneys for the government, attorney support staff, and technical
19 experts. Pursuant to this warrant, the FBI may deliver a complete copy of the seized,
20 copied or disclosed electronic data to the custody and control of attorneys for the
21 government and their staff.

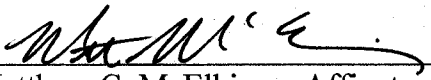
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VIII. CONCLUSION

52. Based on the foregoing, I believe there is probable cause that evidence, fruits, and instrumentalities of violations of 18 U.S.C. § 113(a)(3) (Assault Resulting in Serious Bodily Injury), 18 U.S.C. § 1153(a) (Offenses Committed in Indian Country), 18 U.S.C. §§ 371 and 2111 (Conspiracy to Commit Robbery) and/or 18 U.S.C. § 2111 (Robbery) are located in the FB ACCOUNTS as more fully described in Attachment A to this Affidavit. I therefore request that the court issue a warrant authorizing a search of the FB ACCOUNTS for the information set forth in section I of Attachment B of this Affidavit, and the seizure of the content more fully described in Section II of Attachment B hereto, incorporated herein by reference of any such items found therein.


Matthew C. McElhiney, Affiant
Special Agent
Federal Bureau of Investigation

The above-named agent provided a sworn statement attesting to the truth of the contents of the foregoing affidavit on the 22nd day of May, 2019.


HON. MICHELLE L. PETERSON
United States Magistrate Judge

ATTACHMENT A

DESCRIPTION OF LOCATION TO BE SEARCHED

This warrant applies to information associated with the following Facebook accounts (FB ACCOUNTS):

FACEBOOK ACCOUNT 1

Display Name: Streezy NW

Vanity Name: streezy.nw

Time Observed: Feb 8, 2019, 6:58 PM and Apr 29, 2019, 12:49 PM

User ID#: 100013654273480

Facebook URL: <https://www.facebook.com/streezy.nw>

FACEBOOK ACCOUNT 2

Display Name: Captian Kachuckles

Vanity Name: chuck.sparks.58

Time Observed: Feb 6, 2019, 1:27 PM

User ID#: 100000198065222

Facebook URL: <https://www.facebook.com/chuck.sparks.58>

As well as other subscriber and log records associated with the accounts, which are stored at premises owned, maintained, controlled, and operated by Facebook, Inc., an electronic communications service and remote computing services provider headquartered at 1601 Willow Road, Menlo Park, California, 94025.

For FACEBOOK ACCOUNT 2, the warrant is limited to the above-referenced information for the time period from January 1, 2019 through the present.

ATTACHMENT B**I. INFORMATION TO BE DISCLOSED**

To the extent that the information described in Attachment A is within the possession, custody, or control of Facebook, Inc., including any communications, records, files, logs, posts, payment records, or information that has been deleted but is still available to Facebook, or has been preserved pursuant to requests made under 18 U.S.C. § 2703(f) on or about February 8, April 15, and April 29, 2019, Facebook is required to disclose the following information to the government for each account or identifier listed in Attachment A:

- (a) All contact information, including full name, user identification number, birth date, contact e-mail addresses, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers;
- (b) All Photoprints, including all photos uploaded by that user ID and all photos uploaded by any user that have that user tagged in them;
- (c) All Neoprints, including profile contact information; Mini-Feed information; status updates; links to videos, photographs, articles, and other items; Notes; Wall postings; friend lists, including the friends' Facebook user identification numbers; groups and networks of which the user is a member, including the groups' Facebook group identification numbers; future and past event postings; rejected "Friend" requests; comments; gifts; pokes; tags; and information about the user's access and use of Facebook applications;
- (d) All other communications and messages made or received by the user, including all private messages and pending "Friend" requests;
- (e) All IP logs, including all records of the IP addresses that logged into the account(s) and associated geolocation data;
- (f) All information about the user's access and use of Facebook Marketplace;
- (g) The length of service (including start date), the types of service utilized by

1 the user, and the means and source of any payments associated with the
2 service (including any credit or bank account number;

3 (h) All privacy settings and other account settings;

4 (i) All records pertaining to communications between Facebook and any person
5 regarding the user or the user's Facebook account, including contacts with
6 support services and records of actions taken.

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1 **II. INFORMATION TO BE SEIZED BY THE GOVERNMENT**

2 All information described above in Section I that constitutes fruits, contraband,
3 evidence and instrumentalities of violations of 18 U.S.C. § 113(a)(3) (Assault Resulting
4 in Serious Bodily Injury), 18 U.S.C. § 1153(a) (Offenses Committed in Indian Country),
5 18 U.S.C. §§ 371 and 2111 (Conspiracy to Commit Robbery) and 18 U.S.C. § 2111
6 (Robbery) for each account or identifier listed on Attachment A, including information
7 pertaining to the following matters:

- 8 (a) Records that identify any persons who use or access the account specified,
9 or who exercise in any way any dominion or control over the same,
10 including geolocation data associated with such use or access;
11 (b) Records that identify associates of the account specified;
12 (c) Records relating to the planning or execution of the robbery and shooting of
13 John Doe on February 6, 2019;
14 (d) Records relating to [UNIT B] Tulalip, Washington;
15 (e) Records relating to the identity of the shooter (also known as “Strap”);
16 (f) Records relating to narcotics trafficking, firearms, or ammunition; and
17 (g) Records (including messages, posts, notes, drafts, photographs, videos, or
18 other documents) relating to the relationship between Dennis Peltier,
19 Mariah Boudrieau, John Doe, Joseph Sam, and/or the user of the Facebook
20 account named “Captian Kachuckles,” as well as communications and posts
21 between or amongst any of the same.

22 //

23 //

24 //

1 This warrant authorizes a review of the electronically stored data,
2 communications, or other records and information seized, copied or disclosed pursuant to
3 this warrant in order to locate evidence, fruits, and instrumentalities described in this
4 warrant. The review of this electronic data may be conducted by any government
5 personnel assisting in the investigation, who may include, in addition to law enforcement
6 officers and agents, attorneys for the government, attorney support staff, and technical
7 experts. Pursuant to this warrant, the FBI may deliver a complete copy of the seized,
8 copied or disclosed electronic data to the custody and control of attorneys for the
9 government and their staff.

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**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS
PURSUANT TO FEDERAL RULE OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by Facebook, and my official title is _____. I am a custodian of records for Facebook. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of Facebook, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;

b. such records were kept in the ordinary course of a regularly conducted business activity of Facebook; and

c. such records were made by Facebook as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Federal Rules of Evidence.

Date: _____ Signature: _____